

_____ BILL NO. _____

INTRODUCED BY _____
(Primary Sponsor)

BY REQUEST OF THE HOUSE JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN
SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE INCOME LEVEL FOR ELIGIBILITY FOR
SPECIALIZED TELECOMMUNICATIONS EQUIPMENT FOR PERSONS WITH A DISABILITY; ELIMINATING
THE ABILITY TO CHARGE A FEE FOR PARTICIPATION IN THE PROGRAM; AMENDING SECTIONS
53-19-307 AND 53-19-310, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-19-307, MCA, is amended to read:

"53-19-307. Provision of services. (1) In administering the program established in 53-19-306 for
individuals, the committee shall:

(a) develop an appropriate means test to determine eligibility for participation in the program based on
family income of ~~less than 250% of the federal poverty level but not more than 400%~~ 200% of the federal poverty
level;

(b) require that participants in the program be residents of Montana and that residency be maintained
as a condition of eligibility for continued participation in the program;

(c) require that participants provide satisfactory evidence that they have disabilities and would benefit
from the use of specialized telecommunications equipment;

(d) provide specialized telecommunications equipment to participants through loan, lease, ~~cost sharing,~~
or other methods that are determined appropriate by the committee;

(e) determine the type of specialized telecommunications equipment that it considers necessary and
economically feasible for use by Montana's persons with disabilities;

(f) purchase or lease all specialized telecommunications equipment through bid by wholesale
manufacturers on a competitive basis;

(g) require, as a condition of each equipment purchase or lease, that the original manufacturer provide

1 repair and maintenance service for new and returned equipment;

2 (h) maintain records of each item of equipment, including the location, serial number, and telephone
3 number of each device;

4 (i) at the discretion of the committee, require an appropriate security deposit for equipment at the time
5 of delivery that must be refunded without interest when the equipment is returned;

6 (j) make reasonable efforts to recover equipment from those who become ineligible for continued
7 participation in the program;

8 (k) provide a telecommunications relay service system that would be available statewide for operation
9 7 days a week, 24 hours a day, including holidays; and

10 (l) adopt rules necessary to administer the program.

11 (2) In adopting rules to implement subsections (1)(a) and (1)(d), the committee may, based upon
12 available funds, provide the specialized telecommunications equipment, without charge, to individuals whose
13 family income is less than 250% 200% of the federal poverty level. ~~For individuals whose family income is more~~
14 ~~than 250% of the federal poverty level but less than 400% of the federal poverty level, the committee shall~~
15 ~~develop a sliding fee scale. The sliding fee scale must take into account the amount of funds available after~~
16 ~~providing the equipment to individuals whose family income is less than 250% of the federal poverty level. The~~
17 ~~fees must increase progressively based upon the increased percentage of family income.~~

18 ~~(3) If a fee is required under the program, the rules must provide that the fee must be received by the~~
19 ~~program and deposited in the account provided for in 53-19-310 prior to providing the equipment to the~~
20 ~~individual."~~

21
22 **Section 2.** Section 53-19-310, MCA, is amended to read:

23 **"53-19-310. Fund for telecommunications services for persons with disabilities.** (1) There is an
24 account for telecommunications services for persons with disabilities in the state special revenue fund in the
25 state treasury. The account consists of:

26 (a) all monetary contributions, gifts, and grants received by the committee as provided in 53-19-309;
27 and

28 (b) all charges billed and collected pursuant to 53-19-311; ~~and~~

29 ~~— (c) all fees received pursuant to 53-19-307.~~

30 (2) Unless allocated to the Montana school for the deaf and blind, the money in the account is allocated

1 to the committee for purposes of implementing this part.

2 (3) All expenditures of the committee in administering this part must be paid from money deposited in
3 the account."

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5 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2003.

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